

ASSEMBLY BILL

No. 1723

**Introduced by Committee on Labor and Employment (Koretz
(Chair), Mullin (Vice Chair), Chu, Hancock, Laird, and
Negrete McLeod)**

February 27, 2003

An act to amend Section 1401 of the Labor Code, relating to employment.

LEGISLATIVE COUNSEL'S DIGEST

AB 1723, as introduced, Committee on Labor and Employment. Mass layoffs, relocations, and terminations.

Under existing law, employers must provide notice of mass layoffs, relocations, and terminations to the Employment Development Department. The department also compiles an annual report on unemployment.

This bill would require the department to include in its annual report the information it receives as to mass layoffs, relocations, or terminations.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 1401 of the Labor Code is amended to
2 read:

3 1401. (a) An employer may not order a mass layoff,
4 relocation, or termination at a covered establishment unless, 60

1 days before the order takes effect, the employer gives written
2 notice of the order to the following:

3 (1) The employees of the covered establishment affected by the
4 order.

5 (2) The Employment Development Department, the local
6 workforce investment board, and the chief elected official of each
7 city and county government within which the termination,
8 relocation, or mass layoff occurs.

9 (b) An employer required to give notice of any mass layoff,
10 relocation, or termination under this chapter shall include in its
11 notice the elements required by the federal Worker Adjustment
12 and Retraining Notification Act (29 U.S.C. Sec. 2101 et seq.).

13 (c) Notwithstanding the requirements of subdivision (a), an
14 employer is not required to provide notice if a mass layoff,
15 relocation, or termination is necessitated by a physical calamity or
16 act of war.

17 (d) *The Employment Development Department shall include*
18 *the information as to mass layoffs, relocations, or terminations,*
19 *that it receives pursuant to paragraph (2) of subdivision (a), in the*
20 *report it compiles annually for the state and its principal labor*
21 *market areas pursuant to subdivision (b) of Section 9604 of the*
22 *Unemployment Insurance Code.*

